

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

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SECURITIES AND EXCHANGE
COMMISSION,

Civil Case No. 12-CV-1065
(ADS)(AYS)

Plaintiff,

v.

BRIAN RAYMOND CALLAHAN,
ADAM MANSON, DISTINCTIVE
INVESTMENTS LLC, and DISTINCTIVE
VENTURES LLC,

Assigned to:
Hon. Arthur D. Spatt, D.J.
Hon. Anne Y. Shields, M.J.

Defendants.

SHERI MANSON CALLAHAN,

Relief Defendant.

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**NOTICE OF MOTION
FOR APPROVAL OF THE RECEIVER'S FINAL CLAIM DETERMINATION
REPORT AND APPROVAL OF THE PROCEDURES FOR DISTRIBUTION**

PLEASE TAKE NOTICE that Steven Weinberg, as the Court Appointed Receiver (the "Receiver") for Defendants HORIZON GLOBAL ADVISORS LTD. ("HGA LTD"), HORIZON GLOBAL ADVISORS LLC ("HGA LLC"), DIVERSIFIED GLOBAL INVESTMENTS (BVI), L.P. ("Diversified Global") f/k/a Horizon Global Investments, L.P. ("Horizon Global"), THE MASTERS GLOBAL FUND, L.P. ("Masters Global"), FIDUCIARY SELECT INCOME FUND, L.P. ("Fiduciary Select") f/k/a Pangea Bridge Investment, L.P. ("Pangea Bridge"), HORIZON MILLENNIUM INVESTMENTS, L.P. ("Horizon Millennium"), and PANGAEA OFFSHORE HIGH YIELD PORTFOLIO, LLC ("Pangea Offshore"), by and through its undersigned attorneys, will move this Court before the Honorable Arthur D. Spatt, District Judge in

Courtroom 1029 of the United States Courthouse located at 100 Federal Plaza, Central Islip, New York 11722, for entry of an Order, in the form proposed herewith:

- (a) Approving the Final Claim Determination Report and entering a final judgment pursuant to Rule 54(b) of the Federal Rules of Civil Procedure with respect to the Potential Claims that are the subject of the Final Claim Determination Report;
- (b) approving and confirming the claims determinations summarized in Exhibit F to the Report and annexed to the Order and waiving and overruling all denied claims and objections, and all untimely submitted claims or objections;
- (c) approving the analysis and methodology of the Receiver's plan for distribution, and that after the time for any appeal of the Claims Determination Order has expired, or the resolution of any such appeal, allowing the Receiver to distribute the Receivership Assets to the extent that such distribution is practical and will not hamper the needs of the continuation of the Receivership, including any pending Receivership litigation including but not limited to the Receiver's Ancillary Claims (the "Receivership Litigation"), provided that the Receiver believes that no reason exists for not satisfying such Court approved Potential Claims.

The subject motion is administrative in nature. It is supported by the Declaration of Steven Weinberg; the court appointed Receiver for the Receivership Entities and the Final Claim Determination Report by Steven Weinberg as the court-appointed Receiver for the Receivership Entities. There is no accompanying Memorandum of Law as all information and legal authority is included in the Final Claim Determination Report. A proposed Order is also attached to the Final Claim Determination Report and filed herewith.

PLEASE TAKE FURTHER NOTICE that demand is hereby made that all opposing affidavits, certifications, answering memoranda of law and other papers shall be served within fourteen (14) days after service of these moving papers pursuant to and in accordance with Rules 6.1 and 6.4 of the Local Rules of the United States District Court for the Southern District and for the Eastern District of New York.

Dated: New York, New York
February ~~14~~, 2017

Respectfully submitted:



STEWART W. LEE

KELSEY BILODEAU

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*Attorneys for Steven Weinberg
As the Court Appointed Receiver for
Horizon Global Advisors Ltd., Horizon
Global Advisors LLC, Diversified Global
Investments (BVI) L.P., the Masters Global
Fund, L.P., Fiduciary Select Income Fund,
L.P., Horizon Millennium Investments, L.P.
and Pangea Offshore High Yield Portfolio,
LLC.*

TO: DEAN M. CONWAY, ESQ. (via ECF)
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Attorneys for Plaintiff Securities and Exchange Commission
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*Attorneys for William V. Johnson, Diane Johnson,
Bocagrande Trust & Dr. Luis Pernia*
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Chicago, IL 60603

BRIAN R. CALLAHAN (*via First Class Mail*)
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3 Windsor Drive
Old Westbury, New York 11568

Index No. Civil Case No. 12 CV 1065 (ADS/AKT)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,
- against -

BRIAN RAYMOND CALLAHAN, ADAM MASNSON, DISTINCTIVE
INVESTMENTS VENTURES LLC,

Defendants.

SHERI MANSON CALLAHAN,

Relief Defendant

COPY

MOTION FOR APPROVAL OF THE RECEIVER'S FINAL CLAIM DETERMINATION
REPORT AND APPROVAL OF THE PROCEDURES FOR DISTRIBUTION

GOTTESMAN, WOLGEL, FLYNN, WEINBERG & LEE, P.C.
A Professional Corporation Incorporated in the State of New York

Attorneys for

RECEIVER

11 HANOVER SQUARE
NEW YORK, N.Y. 10005
TEL. NO. (212) 495-0100
FAX NO. (212) 480-9797

Pursuant to 22 NYCRR 130-1.1-a, the undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information and belief and reasonable inquiry, (1) the contentions contained in the annexed document are not frivolous and that (2) if the annexed document is an initiating pleading, (i) the matter was not obtained through illegal conduct, or that if it was, the attorney or other persons responsible for the illegal conduct are not participating in the matter or sharing in any fee earned therefrom and that (ii) if the matter involves potential claims for personal injury or wrongful death, the matter was not obtained in violation of 22 NYCRR 1200.41-a.

Dated: Signature

Print Signer's Name.....

Service of a copy of the within is hereby admitted.

Dated:

Attorney(s) for

PLEASE TAKE NOTICE

Check Applicable Box

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NOTICE OF
ENTRY

that the within is a (certified) true copy of a
entered in the office of the clerk of the within-named Court on

20

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NOTICE OF
SETTLEMENT

that an Order of which the within is a true copy will be presented for settlement to the
Hon. , one of the judges of the within-named Court,
at
on 20 , at M.

Dated:

GOTTESMAN, WOLGEL, FLYNN, WEINBERG & LEE, P.C.
A Professional Corporation Incorporated in the State of New York

Attorneys for

To:

11 HANOVER SQUARE
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TEL. NO. (212) 495-0100